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AUTHOR	Horne, Richard L.
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ABSTRACT

This newsletter issue focuses on the educational and civil rights of children and youth with disabilities, through the age of 21. The primary focus is on the Education for All Handicapped Children Act (Public Law 94-142), its subsequent amendments (Public Law 98-199 and Public Law 99-457). In October, 1990, this law was amended by the Individuals with Disabilities Education Act (Public Law 101-476). Additional federal laws, including Section 504 of the Rehabilitation Act of 1973 (Public Law 93-112) and the Carl D. Perkins Vocational Education Act (Public Law 98-524), are described to explain the full range of potential services and rights available. The paper emphasizes that most laws providing for public education are generally state and local laws rather than federal laws. An annotated list of 17 key federal statutes affecting the education and civil rights of children and youth with disabilities is presented. A 19-item bibliography and a list of 18 clearinghouses, information centers, and government agencies are provided. Also supplied are descriptions of programs for Protection and Advocacy for Persons with Developmental Disabilities and Persons with Mental Illness and a map showing locations of federally funded Parent Training and Information projects of the Technical Assistance for Parent Programs Network. (Includes 23 references.) (JDD)

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The Education of Children and Youth With Special Needs: What Do the Laws Say?

Volume I, Number 1, 1991

NICHCY
News Digest

National Information Center for Children and Youth with Disabilities
Washington, DC

The National Information Center for Children and Youth with Disabilities (NICHCY) receives thousands of inquiries each year from families and professionals asking for information about federal laws regarding special education and related services, vocational education, and civil rights. The people who contact NICHCY are interested in the laws and their intent, the regulations, and their state's implementation of these laws.

This issue of NEWS DIGEST will focus on the educational and civil rights of children and youth with disabilities through the age of 21. Thus, the primary focus of this issue is on the ***Education for All Handicapped Children Act, Public Law (P.L.) 94-142****, most commonly referred to as the* ***Education of the Handicapped Act (EHA)****, and its subsequent amendments, P.L. 98-199 and P.L. 99-457. In October, 1990, this law was amended (changed) by P.L. 101-476, the Education of the Handicapped Act Amendments of 1990. As a result of these changes, we should now begin to reference the law by its new name, the* ***Individuals with Disabilities Education Act (IDEA)****. Additional federal laws, including* ***Section 504 of the Rehabilitation Act of 1973*** *(P.L. 93-112) and the* ***Carl D. Perkins Vocational Education Act*** *(P.L. 98-524), are discussed to help readers understand the full range of potential services and rights available to children and youth with disabilities and their families, for while P.L. 94-142 is the largest part of the picture, it is not the entire picture. This issue will also discuss the application of state laws and provide resources to families and professionals on how to obtain additional information.*

Only a brief discussion of each law is contained in the NEWS DIGEST, and it does not provide a legal interpretation of statutes. Those who need precise language are encouraged to refer directly to the public laws and relevant regulations. A resource list of organizations and a bibliography of useful readings are provided at the end of this NEWS DIGEST for further information on the laws and for more precise interpretations.

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We've Changed Our Name

As a result of the passage of P.L. 101-476, the Education of the Handicapped Act Amendments of 1990, Congress reflected the desire of the disability community to replace the term "handicapped" with the term "disability." Throughout the law the term handicapped has been replaced with the appropriate form of the term disability.

At ***NICHCY***, we've strived to use the term disability in all of our publications. In keeping with this trend, we will now be known as the **National Information Center for Children and Youth with Disabilities**, but will retain the ***NICHCY*** acronym.

The first federal laws designed to assist individuals with disabilities date back to the early days of the nation. In 1798, the Fifth Congress passed the first federal law concerned with the care of persons with disabilities (Braddock, 1987). This law authorized a Marine Hospital Service to provide medical services to sick and disabled seamen. By 1912, this service became known as the Public Health Service. However, prior to World War II, there were relatively few federal laws authorizing special benefits for persons with disabilities. Those that did exist were intended to address the needs of war veterans with service-connected disabilities. This meant that, for most of our nation's history, schools were allowed to exclude — and often did exclude — certain children, especially those with disabilities. Since the 1960s, however, there has been a virtual avalanche of federal legislation that relates directly or indirectly to individuals with disabilities, particularly children and youth. The numerous court decisions rendered, and state and federal laws passed since the 1960s, now protect the rights of those with disabilities and guarantee that they receive a free and appropriate, publicly-supported education.

There have been many heroes and heroines in this effort, most certainly the families of children with disabilities. The positive changes in the laws and the attitudes of the public toward those with disabilities would not have occurred without the active and persistent involvement of many dedicated people over the years. Today, people with disabilities have accomplished more than ever dreamed possible due to more and better programs, better trained professionals, continuous research in education, information dissemination and technical assistance, and the collaboration between parents and professionals to obtain the best education possible for the nation's children and youth with disabilities.

As evidence of these changes, in 1989 over four million children and youth with disabilities received special education and related services under the **Education of the Handicapped Act (EHA)** (Office of Special Education and Rehabilitative Services, 1990). Recently, federal efforts have extended this right to the youngest of children—infants and toddlers. A recent survey, conducted by Louis Harris and Associates (1989) for the International Center for the Disabled, suggests that more children with disabilities appear to be receiving a far better education today than they were 10 to 12 years ago, and that parents are reasonably satisfied with their children's education. However, many families and professionals have little knowledge about the laws. According to this report, 61% of the parents surveyed knew little or nothing about their rights under both the **Education of the Handicapped Act (EHA)** P.L. 94-142 and **Section 504 of the Rehabilitation Act of 1973**, P.L. 93-112. Even a greater number of these parents—85%—were not aware

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of the vocational education law, the **Carl D. Perkins Vocational Education Act of 1984**, P.L. 98-524. Finally, a majority of both principals and teachers surveyed felt they had not had adequate training in special education.

Awareness of the laws that assure equal opportunities to individuals with disabilities is vitally important for the following reasons:

- Knowledge of the language and intention of these laws empowers families to advocate more effectively for their children and strengthens their ability to participate fully as partners in their children's educational teams.
- As independence and self-sufficiency for individuals become increasingly important outcomes of special education, it is important that individuals with disabilities understand the law and its implications for making decisions.
- Knowledge of the law can assist professionals in understanding the entire service delivery system, ensure protection of civil rights, and improve collaboration with other agencies and families.
- Knowledge of the law can help parents and professionals work together on behalf of children to make the equal education opportunity guaranteed by law a reality.

How Federal Laws And Regulations Are Determined

It is helpful to know how laws are named or referred to. Whenever an Act is passed by the Congress and signed into law by the President, it is given a number, such as P.L. 94-142. "P.L." stands for **Public Law**. The first set of numbers means the session of Congress during which the law was passed. For example, the 94 means the 94th session of the U.S. Congress. The second set of numbers identifies what number the law was in the sequence of passage and enactment during that session. Thus, the 142 means that this was the 142nd law that Congress passed and the President signed during the 94th session of Congress.

It is also important to understand that federal laws are often changed, or amended, regularly. Public Law 94-142, the Education for All Handicapped Children Act, has had several amendments since its passage in 1975. Therefore, it is important to keep up-to-date on these changes, as they often affect the delivery of special education, related services, and other programs in your state.

Laws passed by the Congress provide a general framework of policy related to a particular issue. Once a law is passed, Congress delegates to an administrative agency within the Executive Branch the task of developing detailed regulations to guide the law's implementation. Federal regulations are detailed in the **Code of Federal Regulations (CFR)**. The CFR interprets the law, discusses each point of a law, and further explains it. Copies of most federal regulations are available in the public library. The CFR is readable and helpful in understanding the laws. State agencies must comply with federal laws and regulations.

At the federal level, special education is an area in which elaborate sets of regulations exist. The regulations for the Education of the Handicapped Act, for example, spell out the procedures and programming that must be provided to children and youth with disabilities in order for states to receive federal funds. States may go beyond what is required in the regulations. For example, some states have broader definitions of which children are entitled to special education and, thus, may include gifted children in their special education programming.

Early Federal Education Laws And Court Cases

Looking back over the last twenty-five years, it is clear that federal protection and guarantees of the educational rights of individuals with disabilities have been an evolving story. Figure 1 presents a graphic view of the history of special education legislation and relevant court cases. Direct federal support for the education of children with disabilities has its roots in the Elementary and Secondary Education Act of 1965 (ESEA), P.L. 89-10. The purpose of this law was to strengthen and improve educational quality and opportunity in the nation's elementary and secondary schools (DeStefano & Snauwaert, 1989). Eight months later, P.L. 89-10 was amended with the enactment of P.L. 89-313. Public Law 89-313, the Elementary and Secondary Education Act Amendments of 1965, authorized the first federal grant program specifically targeted for children and youth with disabilities. This law authorized grants to state agencies to educate children with disabilities in state-operated or supported schools and institutions. In 1966, P.L. 89-750, the Elementary and Secondary Education Act Amendments of 1966, established the first federal grant program for the education of children with disabilities at the local school level rather than state-operated schools and institutions. This section of the law became known as Title VI. In addition, P.L. 89-750 established the Bureau of Education for the Handicapped (BEH) to administer all Office of Education programs for children and youth with disabilities. BEH was charged with helping states to: implement and monitor programs; support demonstration programs; conduct research and evaluate federally funded programs; provide financial support for training special educators, other teachers, support personnel, and parents; and to support research, training, production, and distribution of educational media. Public Law 89-750 also established the National Advisory Council (NAC), which today is called the National Council on Disability.

In 1968, P.L. 90-247, the Elementary and Secondary Education Act Amendments of 1968, became the final special education legislation enacted at the federal level in the 1960's. Public Law 90-247 established a set of programs, which would later become known as "discretionary," that provided a wide range of programs that supplemented and supported the expansion and improvement of special education services. These programs included funding for regional resource centers, centers and services for children with deaf-blindness, the expansion of instructional media programs, continued research in special education, and funds to establish a center to help improve the recruitment of education personnel and to disseminate information concerning edu-

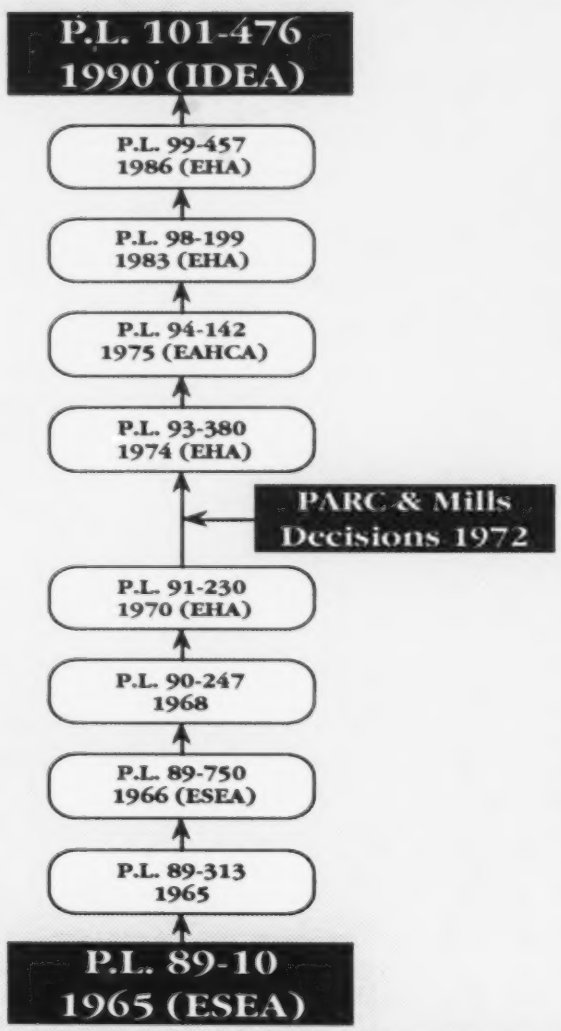
cation opportunities for children and youth with disabilities. (It was under this law that the roots of ***NICHCY*** were begun.)

Two years later, Congress passed the Elementary and Secondary Education Amendments of 1970, P.L. 91-230. Public Law 91-230 consolidated into one act a number of previously separate federal grant programs related to the education of children with disabilities, including Title VI of ESEA under P.L. 89-750. This new authorization, which became known as Part B, was entitled the **Education of the Handicapped Act (EHA)** and was the precursor to the 1975 Act that would significantly expand the educational rights of children and youth with disabilities.

By the mid 1970's, there were several right-to-education cases brought to court in states all over the country. Two precedent-setting cases involving the education of children with disabilities took place in Pennsylvania and the District of Columbia. In Pennsylvania, the Pennsylvania Association for Retarded Citizens (PARC) and thirteen school-aged children with mental retardation brought a class action suit against the Commonwealth of Pennsylvania for its alleged failure to provide all of its school-aged children with mental retardation with a publicly-supported education (*Pennsylvania Association for Retarded Citizens v. Commonwealth of Pennsylvania*, 1972). The *PARC* suit was resolved by a consent agreement that specified that the state could not apply any law that would postpone, end, or deny mentally retarded children access to a publicly-supported education. Furthermore, the agreement required the state to identify all school-aged children with mental retardation who were excluded from the public schools and to place them in a "free public program of education and training appropriate to their capacity." Finally, the agreement claimed that it was highly desirable to educate these children in programs most like those for nonhandicapped children.

Figure 1

The Legislative History of Special Education



In 1972, the parents and guardians of seven District of Columbia children brought a class action suit against the D.C. Board of Education on behalf of all out-of-school children with disabilities (*Mills v. Board of Education*, 1972). Unlike *PARC*, *Mills* was resolved by a judgement against the district school board. The result was a court order that the District of Columbia must provide all children with a disability, regardless of the severity of their disability, with a publicly-supported education.

In 1974, P.L. 93-380, the Education Amendments of 1974, was passed. These amendments contained a variety of changes to existing federal education programs of the ESEA. One of the most important amendments was to Title VI of the ESEA which was renamed as the Education of the Handicapped Act Amendments of 1974. This law required states to establish a timetable toward achieving full educational opportunity for all children with disabilities. The Act provided procedural safeguards for use in the identification, evaluation, and placement of children with disabilities, mandated that such children be integrated into regular classes when possible, and required assurances that testing and evaluation materials be selected and administered on a nondiscriminatory basis. Even with P.L. 94-142 on the horizon, P.L. 93-380 was important because it began the focus, through a major federal program to the states, on fully educating all children with disabilities. Public Law 94-142, the Education for All Handicapped Children Act, was passed by Congress and signed into law by President Ford in 1975.

Federal Laws Strengthen: The Core of Current Rights

The rights of individuals with disabilities were significantly strengthened with the passage of three federal laws and their periodic amendments. These laws were:

- ☆ P.L. 93-112, the Rehabilitation Act of 1973
- ☆ P.L. 94-142, the Education of All Handicapped Children Act of 1975, and
- ☆ P.L. 98-524, the Carl Perkins Vocational Education Act of 1984.

These three laws, and their subsequent amendments, form the core of current protection against discrimination and current guarantees of equal educational opportunity that individuals with disabilities have in our nation. Because these laws are so important to ensuring the rights of those with disabilities, you should become familiar with both the laws and their regulations. Each law is described in some detail below.

P.L. 93-112, The Rehabilitation Act of 1973

This law is critical, because it addresses discrimination against persons with disabilities. The law has different sections which refer to different areas of discrimination, as follows:

- Section 501: Employment of Handicapped Individuals
- Section 502: Architectural and Transportation Board Compliance
- Section 503: Employment under Federal Contracts
- Section 504: Non-Discrimination under Federal Grants

To this day, Section 504 provides individuals with disabilities with basic civil rights protection against discrimination in federal programs. The law states that "no otherwise qualified handicapped individual in the United States shall, solely by reason of his [or her] handicap, be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance."

To be eligible for the protections under Section 504, an individual must meet the definition of a handicapped person. This definition is: "Any person who (i) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (ii) has a record of such an impairment, or (iii) is regarded as having such an impairment." Major life activities include self-care, performing manual tasks, seeing, hearing, speaking, breathing, learning, and walking. Section 504 covers only those persons with a disability who would otherwise be qualified to participate and benefit from the programs or other activities receiving **federal** financial assistance.

Section 504 assures equal opportunities for children and youth with disabilities in schools receiving federal funds—preschools, elementary and secondary schools, and postsecondary institutions. Agencies that persist in acts of discrimination face the loss of federal funds. Along with school districts, this includes colleges and universities, vocational education and adult education programs, state and local governments, places of employment, hospitals and clinics, and public and private groups of all kinds which receive federal financial assistance.

Public Law 93-112 has been amended several times. In 1983, P.L. 98-221, the Rehabilitation Act Amendments of 1983, authorized several demonstration projects regarding the transition of youth with disabilities from school to work. In 1986, P.L. 99-506, the Rehabilitation Act Amendments of 1986, provided for programs in supported employment services for individuals with disabilities.

To learn more about the precise nature of this act, including the sections not described here, how to file a discrimination complaint, or to obtain a copy of the Act's regulations (**Code of Federal Regulations [C.F.R.]: Title 34; Education; Parts 100 to 106**), write to: **U.S. Department of Education, Office of Civil Rights, Operations Support Service and Technical Assistance Branch**, 330 C Street, S.W., Room 5431, Washington, D.C. 20202.

P.L. 94-142, The Education for All Handicapped Children Act of 1975

This law was passed in 1975 and went into effect in October of 1977 when the regulations were finalized. This law grew out of and strengthened earlier acts of a similar name, including P.L. 91-230 and P.L. 93-380. Ballard, Ramirez and Zantal-Weiner (1987) and DeStefano and Snauwaert (1989) summarize the major purposes of P.L. 94-142 as:

- ➥ To guarantee that a "free appropriate education," including special education and related service programming, is available to all children and youth with disabilities who require it.
- ➥ To assure that the rights of children and youth with disabilities and their parents or guardians are protected (e.g., fairness, appropriateness, and due process in decision-making about providing special education and related services to children and youth with disabilities).
- ➥ To assess and assure the effectiveness of special education at all levels of government.
- ➥ To financially assist the efforts of state and local governments in providing full educational opportunities to all children and youth with disabilities through the use of federal funds.

In 1983, through the **Education of the Handicapped Act Amendments of 1983** (P.L. 98-199), Congress amended, or changed, the law to expand incentives for preschool special education programs, early intervention, and transition programs. All programs under EHA became the responsibility of the Office of Special Education Programs (OSEP), which by this time had replaced the Bureau of Education for the Handicapped (BEH).

In 1986, EHA was again amended through P.L. 99-457, the **Education of the Handicapped Act Amendments of 1986**. One of the important outcomes of these amendments was that the age of eligibility for special education and related services for all children with disabilities was lowered to age three, a change to be implemented by school year 1991-1992. The law also established the Handicapped Infants

and Toddlers Program (Part H). As specified by law, this program is directed to the needs of children, from birth to their third birthday, who need early intervention services. In addition, under this program the infant or toddler's family may receive services that are needed to help them assist in the development of their child. State definitions of eligibility under this program vary. However, in order to receive federal funds, each state must have a comprehensive, state-wide, interagency service delivery system in place by their fifth year of participation in the program.

The Education of the Handicapped Act makes it possible for states and localities to receive federal funds to assist in the education of infants, toddlers, preschoolers, children and youth with disabilities. Basically, in order to remain eligible for federal funds under the law, states must assure that:

➥ All children and youth with disabilities, regardless of the severity of their disability, will receive a **Free, Appropriate Public Education *(FAPE)***—at public expense.

➥ Education of children and youth with disabilities will be based on a **complete and individual evaluation and assessment** of the specific, unique needs of each child.

➥ An **Individualized Education Program (IEP)**, or an **Individualized Family Services Plan (IFSP)**, will be drawn up for every child or youth found eligible for special education or early intervention services, stating precisely what kinds of special education and related services, or the types of early intervention services each infant, toddler, preschooler, child, or youth will receive.

➥ To the maximum extent appropriate, all children and youth with disabilities will be educated in the **regular education environment**.

➥ Children and youth receiving special education have the right to receive the **related services** necessary to benefit from special education instruction. Related services include:

> ...transportation and such developmental, corrective, and other supportive services that are required to assist a handicapped child to benefit from special education, and includes speech pathology and audiology, psychological services, physical and occupational therapy, recreation, early identification and assessment of disabilities in children, counseling services, and medical services for diagnostic or evaluation purposes. The term also includes school health services, social work services in schools, and parent counseling and training (C.F.R.: Title 34; Education; Part 300.12, 1986).

➥ **Parents** have the **right to participate** in every decision related to the identification, evaluation, and placement of their child or youth with a disability.

➥ **Parents** must give consent for any initial evaluation, assessment, or placement; be notified of any change in placement that may occur; be included, along with teachers, in conferences and meetings held to draw up individualized programs; and must approve these plans before they go into effect for the first time.

➥ The right of parents to challenge and appeal any decision related to the identification, evaluation, and placement, or any issue concerning the provision of FAPE, of their child is fully protected by clearly spelled-out **due process procedures**.

➥ Parents have the right to **confidentiality of information**. No one may see a child's records unless the parents give their written permission. (The exception to this are school personnel with legitimate educational interests.)

In October, 1990, Congress passed, and President Bush signed into law, the **Education of the Handicapped Act Amendments of 1990 (P.L. 101-476)**. The new law has resulted in some significant changes. For example, the name of the law, the Education of the Handicapped Act (EHA), will now be called the **Individuals with Disabilities Education Act (IDEA)**. Many of the discretionary programs authorized under the law have been expanded. Some new discretionary programs, including special programs on transition, a new program to improve services for children and youth with serious emotional disturbance, and a research and information dissemination program on attention deficit disorder, were created. In addition, the law now includes transition services and assistive technology services as new definitions of special education services which must be included in a child's or youth's IEP. Also, rehabilitation counseling and social work services will be included as related services under the law. Finally, the services and rights under this law are expanded to more fully include children with autism and traumatic brain injury.

The Individuals with Disabilities Education Act and Section 504 of the Rehabilitation Act of 1973 strengthen each other in important areas. For example, they both:

- call for school systems to carry out a systematic search for every child with a disability in need of a public education,
- mandate a Free and Appropriate Public Education (FAPE) regardless of the nature and severity of an individual's disability,
- make it clear that education and related services must be provided at no cost to parents,

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- have similar requirements to assure that testing and evaluation of a child's needs are not based on a single testing instrument, and
- emphasize the importance of educating children and youth with disabilities with their nondisabled peers to the maximum extent appropriate.

The Education of the Handicapped Act, P.L. 94-142, and its amendments, P.L. 98-199, P.L. 99-457, and now the Individuals with Disabilities Education Act, P.L. 101-476, represent the most important pieces of educational legislation in the history of educating children and youth with disabilities. As has been said, parents and professionals should make every effort to familiarize themselves with these laws. The regulations which cover the Education of the Handicapped Act are also to be found in the Code of Federal Regulations. They are called **C.F.R.: Title 34; Education; Parts 300 to 399.** You can obtain the latest copy of the Federal regulations implementing the Education of the Handicapped Act by sending a check or money order for $12.00 (made out to the Superintendent of Documents) to: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. Remember to state that you are requesting a copy of the **Code of Federal Regulations: Title 34; Education; Parts 300-399.**

You should be aware that with the passage of P.L. 101-476, the U.S. Department of Education will be writing new regulations to correspond to the changes made by the IDEA. These regulations will be published and later integrated into the C.F.R. Therefore, the current regulations will not include the new services and programs of the IDEA. You may be able to obtain information regarding new regulations by reading the **Federal Register.** The Federal Register serves as the primary document which lists proposed and final regulations developed by federal agencies. The Federal Register is available in most public libraries. In addition, many disability organizations, professional associations, and parent groups subscribe to the Federal Register. These groups can keep you informed about changes in the regualtions.

P.L. 98-524, The Vocational Education Act of 1984

This law is often referred to as the Carl D. Perkins Act, or the Perkins Act, and authorizes federal funds to support vocational education programs. One of the goals of the Perkins Act is to improve the access of those who either have been underserved in the past or who have greater-than-average educational needs. Under the Act, "special needs students" include those who have a disability, are disadvantaged, or have limited English proficiency. This law is particularly important because it requires that vocational education be provided for students with disabilities. The regulations which cover this law are called **C.F.R.: Title 34; Education; Parts 400-499.**

The law states that individuals who are members of special populations (including individuals with disabilities) must be provided with equal access to recruitment, enrollment, and placement activities in vocational education. In addition, these individuals must be provided with equal access to the full range of vocational education programs available to others, including occupationally specific courses of study, cooperative education, apprenticeship programs, and, to the extent practical, comprehensive guidance and counseling services. Under the law, vocational education planning should be coordinated between public agencies, including vocational education, special education, and the state vocational rehabilitation agencies. The provision of vocational education to youth with disabilities should be monitored to ensure that such education is consistent with objectives stated in the IEP.

In 1990, Congress amended this law by passing P.L. 101-392 (Farrar, 1991). The name of the law has been changed to the **Carl D. Perkins Vocational and Applied Technology Education Act.** The purpose of this law is to make the United States more competitive in the world economy by developing more fully the academic and occupational skills of all segments of the population. This law will concentrate resources on improving educational programs leading to the academic and occupational skill competencies needed to work in a technologically advanced society. The new law expands the term "special populations" to include individuals with disabilities, individuals who are economically and educationally disadvantaged (including migrant and foster children), individuals with limited English proficiency, individuals who participate in programs to eliminate sex bias, and those in correctional institutions. Public Law 101-392 is closely interwoven with the IDEA (P.L. 101-476) to guarantee full vocational education opportunities for youth with disabilities.

Other Federal Laws Affecting Children and Youth With Disabilities

In addition to the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act, and the Perkins Act, there are other federal laws that provide civil rights and service programs for children and youth with disabilities. The following is a general overview of some of these important laws.

P.L. 93-380, The Family Education Rights and Privacy Act (FERPA)

This law was included in the extensive changes to the ESEA. It is often called the Buckley Amendment and gives parents of students under the age of 18, and students age 18 and over, the right to examine records kept in the student's personal file. The FERPA was passed in 1974 to cover all students, including those in postsecondary education. The major provisions of the Act are:

➥ Parents and eligible students have the right to review and have a copy of their educational records for their own files.

➥ Parents and eligible students have the right to have the records explained and interpreted by school officials.

➥ School officials may not destroy any records if there is an outstanding request to inspect and review them.

➥ Parents and eligible students who believe that information contained in the education records is inaccurate, misleading, or a violation of any rights of the student may request that the records be changed.

The parent or eligible student must be advised if the school decides that the records should not be changed, and has the right to a hearing. While a school may release certain kinds of educational records to education or other social service agencies without permission from the parents or eligible student, the school must keep track within the student's files of requests for these records. This information can be inspected by the parent or eligible student. Finally, each school district must give parents of students in attendance, or students age 18 or over, an annual notice to inform them of their policies and procedures under this law, the right of parents or eligible students to file a complaint, and the school's responsibility for communicating with parents and students in their primary language if it is other than English.

P.L. 99-372, The Handicapped Children's Protection Act of 1986

This law was enacted in 1986 "to amend the Education of the Handicapped Act to authorize the award of reasonable attorneys' fees to certain prevailing parties, to clarify the effect of the Education of the Handicapped Act on rights, procedures, and remedies under the other laws relating to the prohibition of discrimination, and for other purposes." Public Law 99-372:

- provides for reasonable attorneys' fees and costs to parents and guardians who prevail in administrative hearings or court when there is a dispute with a school system concerning their child's right to a free appropriate special education and related services;
- applies to all cases initiated after July 3, 1984, and
- requests the General Accounting Office to study the impact of the law and submit findings to Congress concerning the number of complaints, prevailing parties, amounts of attorneys' fees, and other data. (This study was completed in 1989.)

LAWS PASSED BY THE 101ST CONGRESS

During the past session which ended in October, 1990, Congress passed and President Bush signed the following laws of interest to families and professionals who live and work with children and youth with disabilities. All of the laws can be purchased in individual pamphlet form, known as "slip law," from the U.S. Government Printing Office, at the price indicated. (In the case of amendments [changes] to existing law, such as the Education of the Handicapped Act Amendments of 1990, please note that the slip law is the text of the amendments only.) We thank the **National Association of State Directors of Special Education (NASDSE)** for compiling this information and for their permission to reprint it in this issue of ***NEWS DIGEST***. In January, 1991, NASDSE published complete copies of P.L. 101-476, the Individuals with Disabilities Education Act, integrating the 1990 amendments into the provisions of the Education of the Handicapped Act. Prices are $15.00 each for one to 20 copies; $12.00 each for 21 to 50 copies; and $10.00 each for 50 copies or more plus postage. Orders may be sent to: NASDSE, 2021 K Street, NW, Suite 315, Washington, DC 20036-1003, ATTN: IDEA, or by calling (202) 296-1800.

Public Law 101-336, the Americans with Disabilities Act of 1990, signed on July 26, 1990. ($1.50)

Public Law 101-392, the Carl D. Perkins Vocational and Applied Technology Education Act Amendments of 1990, signed on September 25, 1990. ($2.50)

Public Law 101-431, the Television Decoder Circuitry Act of 1990, signed on October 15, 1990. ($1.00)

Public Law 101-476, the Education of the Handicapped Act Amendments of 1990, signed on October 30, 1990. ($1.50)

Public Law 101-496, the Developmental Disabilities Assistance and Bill of Rights Act, signed on October 31, 1990. ($1.75)

Public Law 101-501, the August F. Hawkins Human Services Reauthorization Act of 1990, signed on November 2, 1990. ($1.75)

Public Law 101-508, the Omnibus Budget Reconciliation Act of 1990, signed on November 5, 1990. ($18.00)

Public Law 101-517, the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 1990, signed on November 5, 1990. ($1.25)

Public Law 101-600, the School Dropout Prevention and Basic Skills Improvement Act of 1990, signed on November 16, 1990. ($1.00)

Public Law 101-610, the National and Community Service Act of 1990, signed on November 16, 1990. ($1.75)

Public Law 101-639, the Mental Health Amendments of 1990, signed on November 28, 1990. ($1.00)

To order any of these laws, send a check or money order, payable to the Superintendent of Documents, to: Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402. For credit card purchases, telephone (202) 275-3030.

P.L. 99-401, Temporary Child Care for Handicapped Children and Crisis Nurseries Act of 1986

This law is actually a part of a larger federal law, the Children's Justice Act. Title II of this law includes provisions to fund temporary child care (e.g., respite care) for children who have a disability or chronic illness and crisis nurseries for children at risk of abuse or neglect. In 1988, the U.S. Department of Health and Human Services awarded approximately two million dollars to 16 states to develop and implement respite care services. In 1989, this law was amended by P.L. 101-127, the Children with Disabilities Temporary Care Reauthorization Act of 1989. This law extended and expanded this program for two years and included an increase in funding for these programs from $5 million to $20 million in 1990 and 1991. By July, 1990, 87 grants were awarded to states to develop and establish respite care programs and crisis nurseries.

Additional information about these programs is available by contacting the following organizations: **Texas Respite Resource Network (TRRN)**, P.O. Box 7330, Station A, San Antonio, TX 78207-3198, Telephone: (512) 228-2794, and **Access to Respite Care and Help (ARCH)**, Chapel Hill Training Project, 800 Eastowne Dr., Chapel Hill, NC 27514, Telephone: (919) 490-5577.

P.L. 100-146, The Developmental Disabilities and Bill of Rights Act Amendments of 1987

The original law, the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 (P.L. 88-164), which includes a Bill of Rights section for people with developmental disabilities, was amended in 1987. Persons covered under this law now include those with mental retardation, autism, cerebral palsy, and epilepsy. This Act authorizes grants to support the planning, coordination, and delivery of specialized services to persons with developmental disabilities. In addition to basic grants to states for supporting these planning, coordinating, and service activities, the law authorizes: (a) a formula grant program to support the establishment and operation of state protection and advocacy systems; (b) a project grant program to support university-affiliated programs for persons with developmental disabilities; and (c) grants to nationally significant projects aimed at increasing the independence, productivity, and community integration of persons with developmental disabilities. Also, the Act mandates the establishment and operation of a federal interagency committee to plan for and coordinate activities related to persons with developmental disabilities.

The term "developmental disability," as defined in the Act means:

> ...a severe, chronic disability of a person which: (a) is attributable to a mental or physical impairment or combination of mental or physical impairments; (b) is manifested before the person attains age twenty-two; (c) is likely to continue indefinitely; (d) results in substantial functional limitations in three or more of the fol-

Programs for Protection and Advocacy (P & A) for Persons With Developmental Disabilities and Persons with Mental Illness

P & A for Persons with Developmental Disabilities (PADD)

This program was originally established by the Developmental Disabilities Assistance and Bill of Rights Act of 1975 (P.L. 94-103), which mandated that each state and territory establish a protection and advocacy system as a condition for receiving its funding under this law. Agencies established to provide these advocacy services had to have the ability to pursue legal, administrative, and other appropriate remedies to protect the rights of individuals with developmental disabilities under federal and state laws. The Governor of each state must designate a program to serve as the P & A System, and must assure that the System is independent of any service provider. The federal agency responsible for administering the P & A System is the U.S. Department of Health and Human Services, Administration on Developmental Disabilities. The program was reauthorized by P.L. 101- 496 in 1990.

P & A for Persons with Mental Illness (PAMII)

This program is modelled after the protection and advocacy systems for persons with developmental disabilities. The program was authorized by P.L. 99-319, the Protection and Advocacy for Mentally Ill (PAMII) Individuals Act of 1986. In 1988, P.L. 99-509 reauthorized the program. The system was established to protect the rights of persons with mental illness under federal and state laws, and to investigate allegations of abuse and neglect of persons residing in facilities. The System is designated to the agencies housing protection and advocacy for persons with developmental disabilities in each state and territory. The federal agency responsible for administering the PAMII program is the U.S. Department of Health and Human Services, National Institute of Mental Health.

For more information about these programs and to locate the PADD or PAMII program in your state or territory, contact the National Association of Protection & Advocacy Systems (NAPAS), 900 Second Street, NE, Suite 211, Washington, DC 20002. Telephone (202) 408-9514; (202) 408-9521 (TDD).

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lowing areas of major life activity: (1) self-care; (2) receptive and expressive language; (3) learning; (4) mobility; (5) self-direction; (6) capacity for independent living; and (7) economic sufficiency; and (e) reflects the person's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services which are of lifelong or extended duration and are individually planned and coordinated.

All services provided under this law must be aimed at providing opportunities and assistance for persons with developmental disabilities to enable them to "achieve their maximum potential through increased independence, productivity, and integration into the community."

The most recent amendments to this law were passed by Congress and signed into law by President Bush in 1990 (the Developmental Disabilities Assistance and Bill of Rights Act of 1990, P.L. 101-496).

P.L. 100-407, The Technology-Related Assistance for Individuals with Disabilities Act of 1988

The primary purpose of this Act is to assist states in developing comprehensive, consumer-responsive programs of technology-related assistance and to extend the availability of assistive technology to individuals with disabilities and their families.

"Assistive technology device" is defined by the Act as "any item, piece of equipment, or product system whether acquired off the shelf, modified or customized that is used to increase, maintain, or improve functional capabilities of individuals with disabilities." The broad definition of devices included under the law gives states great flexibility in the programs to be developed.

Title I of P.L. 100-407 provides states with funds to develop a consumer-responsive state system of assistive technology services. States receiving funds may develop or carry out any of the following: (1) model delivery systems; (2) state-wide needs assessment; (3) support groups; (4) public awareness programs; (5) training and technical assistance; (6) access to related information; (7) interagency agreements; and (8) other activities necessary for developing, implementing, or evaluating a statewide service delivery system. To date, 23 states have successfully competed for funds. In addition, the National Institute on Disability and Rehabilitation Research (NIDRR) awarded a contract to the Association for the Advancement of Rehabilitation Technology (RESNA) to provide technical assistance and information to states on the development and implementation of a consumer-responsive, state-wide program of technology-related assistance under the Act.

Title II of P.L. 100-407 authorizes the federal government to perform various activities to help states develop their service delivery systems. These activities include: a study to be undertaken by the National Council on Disability to identify practices that facilitate or impede the financing of assistive technology devices or services; and a study of the need for a National Information and Program Referral Network to assist states in responding to technology-related information needs.

P.L. 101-336, The Americans with Disabilities Act of 1990

The Americans with Disabilities Act (ADA) was signed into law by President Bush on July 26, 1990. The central purpose of this Act is to extend to individuals with disabilities civil rights protections similar to those provided to individuals on the basis of race, sex, national origin, and religion. Based on the concepts of the Rehabilitation Act of 1973, the ADA guarantees equal opportunity for individuals with disabilities in employment, public accommodation, transportation, State and local government services, and telecommunications. The ADA is the most significant federal law assuring the full civil rights of all individuals with disabilities.

For additional information and answers to questions regarding the ADA, contact the **U.S. Department of Justice, Civil Rights Division, Coordination and Review Section**, P.O. Box 66118, Washington, D.C. 20035-6118. Telephone (202) 514-0301 (voice) and (202) 514-0381/83 (TDD), 11 A.M. to 4 P.M. Eastern time. Additional information is also available from *NICHCY*.

State Laws Relating to Children and Youth With Disabilities

How states implement the requirements of federal laws is covered by the primary and basic source of law for the nation—the United States Constitution. Federal laws passed by Congress must be based on the provisions of the Constitution. State constitutions and laws may go beyond what is provided in the federal law, as long as there is no conflict between them, and as long as state laws do not address areas reserved to the federal government, such as providing for the nation's defense.

The major Constitutional provisions that are of importance to children and youth with disabilities are (a) those that provide for the spending of money to protect the general welfare, and (b) the fourteenth amendment, which provides that no states shall "deprive any person of life, liberty, or property, without the due process of law...nor deny...equal protection of the laws." It is important to remember that there is no constitutional provision requiring that the federal government provide education. Under the tenth amendment to the Constitution, it states that, "powers not delegated to the United States by the Constitution, nor prohibited to the States, are reserved to the States...". Therefore, all states have provided for public education, either by state constitution, state law, or both. States are required under the due process and equal protection clauses of the fourteenth amendment to provide education on an equal basis and to provide due process before denying equal educational programming.

As you can see, most laws providing

for public education are generally state and local laws rather than federal laws. Although some educational programs, such as Head Start and special education, are highly regulated by the federal government, education is, for the most part, a state function. It is important to remember that most federal laws and regulations that provide for educational programming establish minimum standards that states must follow for the delivery of services and programs in order to receive federal funds. Quite often, federal laws give flexibility to the states in implementing the programs or services established with federal funds. Laws and regulations regarding civil rights, on the other hand, are much more firm and concrete.

Therefore, it is essential that you become familiar with your state laws and regulations. Write to your state department of education for a copy of your state special education law, its regulations, and for recent amendments, policy decisions or court decisions related to the education of children and youth with disabilities. The resources listed at the end of this ***NEWS DIGEST*** will also tell you where to obtain more information about IDEA and other federal laws.

In addition, in order to receive federal funds for special education and related services under IDEA, every three years the State must have approved state plans—to show that they intend to provide a free, appropriate public education for all children and youth with disabilities. These plans must be made available to the public for review and comment before they are adopted and sent to Washington, D.C. Dates for review must be announced far enough in advance for parents and other interested persons to appear at hearings and express their views.

It is your right to see a copy of your state and local plans for educating children and youth with disabilities. For instance, you may need to know what your state's plan says about education for children with multiple disabilities or about children in private schools and institutions, or about vocational education.

TAPP (Technical Assistance for Parent Programs) Network 1989–1990 Parent Training and Information (PTI) Projects

"We the parents. . .united across the nation."

The Parent Training and Information (PTI) projects are funded through grants awarded by the Office of Special Education Programs, U.S. Department of Education, to coalitions of parents representing children with all disabilities.

The TAPP project is funded through the Office of Special Education Programs, U.S. Department of Education, to the Federation for Children with Special Needs, Boston and Westfield, Massachusetts.

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Finally, it is important to remember that laws provide a framework for policy and that regulations provide the specific requirements for implementing the policy. Where there are differences, inconsistencies, or ambiguities in interpretation or in implementation, the judicial system holds the responsibility for resolving these disputes. Often, court decisions lead to changes in the law or in regulations. It is interesting to note that laws are not made by various branches in the system (Congress, the Executive, and the Judicial) in a vacuum. Often, laws are made by one branch as a response to developments in other arenas. State and federal law are frequently interactive in this process. The development of special education law is an excellent example. It is likely that the interaction among the various branches of government on both the Federal and State levels in the development of special education law and the civil rights of individuals with disabilities will continue for some time.

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U.S. Congress, *Public Law 101-127, Children with Disabilities Temporary Care Reauthorization Act of 1989.*

U.S. Congress, *Public Law 101-336, Americans with Disabilities Act of 1990.*

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Selected, Key Federal Statutes Affecting the Education And Civil Rights of Children and Youth with Disabilities*

P.L. 89-10, the Elementary and Secondary Education Act of 1965.

Provided a comprehensive plan for readdressing the inequality of educational opportunity for economically underprivileged children. It became the statutory basis upon which early special education legislation was drafted.

P.L. 89-313, the Elementary and Secondary Education Act Amendments of 1965.

Authorized grants to state institutions and state-operated schools devoted to the education of children with disabilities. It was the first federal grant program specifically targeted for children and youth with disabilities.

P.L. 89-750, The Elementary and Secondary Education Amendments of 1966.

This law amended Title VI of P.L. 89-10 and established the first federal grant program for the education of children and youth with disabilities at the local school level, rather than at state-operated schools or institutions. It established the Bureau of Education of the Handicapped (BEH) and the National Advisory Council (now called the National Council on Disability).

P.L. 91-230, The Education of the Handicapped Act of 1970.

This law amended Title VI of P.L. 89-750 and established a core grant program for local educational agencies. This program is known as Part B. This law also authorized a number of discretionary programs.

P.L. 93-112, The Rehabilitation Act of 1973.

This law provides a comprehensive plan for providing rehabilitation services to all individuals, irregardless of the severity of their disability. It also provided for civil rights enforcement under Section 504. This law was amended by P.L. 98-221 in 1983, and by P.L. 99-506 in 1986.

P.L. 93-380, The Education Amendments of 1974.

These amendments to the Elementary and Secondary Education Act contained two important laws. One is the Education of the Handicapped Act Amendments of 1974. This law was the first to mention the provision of an appropriate education for all children with disabilities. It also reauthorized the discretionary programs. The second important law, the Family Education Rights and Privacy Act, often called the Buckley Amendment, gives parents and students under the age of 18, and students age 18 and over, the right to examine records kept in the student's personal file.

P.L. 94-142, The Education for All Handicapped Children Act of 1975.

This law mandates a free appropriate public education for all children with disabilities, ensures due process rights, mandates education in the least restrictive environment, and mandates Individualized Education Programs, among other things. It is the core of federal funding for special education.

P.L. 98-199, The Education of the Handicapped Act Amendments of 1983.

This law reauthorized the discretionary programs, including the establishment of services to facilitate the transition from school to work for youths with disabilities through research and demonstration projects; the establishment of parent training and information centers; and funding for demonstration projects and research in early intervention and early childhood special education.

P.L. 98-524, The Carl D. Perkins Vocational Education Act of 1984.

This law authorized funds to support vocational education programs to include youths with disabilities. The law stated that individuals who are members of special populations must be provided with equal access to recruitment, enrollment, and placement activities in vocational education.

Selected, Key Federal Statutes Affecting the Education And Civil Rights of Children and Youth with Disabilities*

P.L. 99-372, The Handicapped Children's Protection Act of 1986.

This law provides for reasonable attorneys' fees and costs to parents and guardians who prevail in administrative hearings or court when there is a dispute with a school system concerning their child's right to a free appropriate special education and related services.

P.L. 99-457, The Education of the Handicapped Act Amendments of 1986.

This law mandates services for preschoolers with disabilities and established the Part H program to assist states in the development of a comprehensive, multidisciplinary, and statewide system of early intervention services for infants and toddlers (birth to age 3). This law also reauthorized the discretionary programs and expanded transition programs.

P.L. 100-407, The Technology-Related Assistance for Individuals with Disabilities Act of 1988.

The primary purpose of this law is to assist states in developing comprehensive, consumer-responsive programs of technology-related assistance and to extend the availability of technology to individuals with disabilities and their families. Assistive technology device is broadly defined in the law to give the states flexibility in the programs to be developed. Assistive technology services under this law include 8 activities related to developing consumer-responsive services with federal funds.

P.L. 101-127, The Children with Disabilities Temporary Care Reauthorization Act of 1989.

This law is actually a part of a larger federal law, the Children's Justice Act, P.L. 99-401. Title II of this law includes provisions to fund temporary child care (e.g., respite care) for children who have a disability or chronic illness and crisis nurseries for children at risk of abuse or neglect. In 1989, P.L. 101-127 extended and expanded this program for two years and included an increase in funding for these programs from $5 million to $20 million in 1990 and 1991. By July, 1990, 87 grants were awarded to states to develop and establish respite care programs and crisis nurseries.

P.L. 101-336, The Americans with Disabilities Act of 1990.

This law, based on the concepts of the Rehabilitation Act of 1973, guarantees equal opportunity for individuals with disabilities in employment, public accommodation, transportation, State and local government services, and telecommunications. The ADA is the most significant federal law assuring the full civil rights of all individuals with disabilities.

P.L. 101-392, The Carl D. Perkins Vocational and Applied Technology Education Act of 1990.

This law amended P.L. 98-524 for the purpose of making the United States more competitive in the world economy. This law is closely interwoven with the Education of the Handicapped Act (P.L. 94-142) toward guaranteeing full vocational education opportunity for youth with disabilities.

P.L. 101-476, The Education of the Handicapped Act Amendments of 1990.

This law changed the name of EHA to the Individuals with Disabilities Education Act (IDEA). This law reauthorized and expanded the discretionary programs, mandated transition services and assistive technology services to be included in a child's or youth's IEP, and added autism and traumatic brain injury to the list of categories of children and youth eligible for special education and related services.

P.L. 101-496, The Developmental Disabilities Assistance and Bill of Rights Act of 1990.

This law authorizes grants to support the planning, coordination, and delivery of specialized services to persons with developmental disabilities. In addition, this law provides funding for the operation of state protection and advocacy systems for persons with developmental disabilities. The original law was enacted in 1963 by P.L. 88-164. In 1987, P.L. 100-146 significantly expanded the Act to include persons with mental retardation, autism, cerebral palsy, and epilepsy.

* Adapted from: DeStefano and Snauwaert (1989).

FYI: Information Resources from NICHCY's Database

The following information was selected from numerous resources abstracted in ***NICHCY's*** database. If you know of a group which provides information about federal legislation or advocacy to families, professionals, or the general public regarding infants, children, and youth with disabilities, or developing materials and programs in this area, please send this information to ***NICHCY*** for our resource collection and database. We will appreciate this information and will share it with others who request it.

You can obtain many of the documents listed below through your local public library. Whenever possible, we have included the publisher's address or some other source in case the publication is not available in your area. The organizations listed are only a few of the many that provide various services and information programs about legislation and advocacy for families and professionals.

Additional publications and information are also available from the clearinghouses listed, state and local parent groups, state and local affiliates of many major disability organizations, and your state Protection and Advocacy System. Please note that these addresses are subject to change without prior notice. If you experience difficulty in locating these documents or organizations, or if you would like additional assistance, please contact ***NICHCY***. Finally, you may find ***NICHCY's State Resource Sheet*** for your state or territory helpful in contacting other resources of information.

You may obtain copies of the laws discussed by writing to your Congressional Representative. Federal Regulations are available by writing to: Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402. There is usually a charge for the documents. It is important that you include the title of the regulations which you are seeking.

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Counterpoint - National Association of State Directors of Special Education (NASDSE), 2021 K Street, NW, Suite 315, Washington, DC 20006-1003. (Published 4 times a year as a service to teachers and administrators, $ 20.00.)

Exceptional Children - Council for Exceptional Children, 1920 Association Dr., Reston, VA 22091-1589. (Published 6 times a year, $25.00, or with membership.)

Exceptional Parent - Psy-Ed Corporation, P.O. Box 3000, Department EP, Denville, NJ 07834. (Published 8 times a year, $18.00.)

Families and Disability Newsletter - Beach Center on Families and Disability, Bureau of Child Research, University of Kansas, 3111 Haworth Hall, Lawrence, KS 66045. (Published 3 time a year, free.)

Journal of Disability Policy Studies - The University of Arkansas Press, Fayetteville, AR 72701. (Published 4 times a year, $24.50.)

OSERS News In Print - Office of Special Education and Rehabilitative Services (OSERS), Clearinghouse on Disability Information, Room 3132, Switzer Bldg., 330 C Street, SW, Washington, D.C. 20202-2524. (Published quarterly, free.)

Rural Special Education Quarterly - American Council on Rural Special Education (ACRES), National Rural Development Institute, Miller Hall 359, Western Washington University, Bellingham, WA 98225. (Published quarterly, $30.00, or $20.00 with membership.)

The Special Educator - LRP Publications, 747 Dresher Rd., Suite 500, P.O. 980, Horsham, PA 19044-0980. (Published semi-monthly, except monthly in June and December; no issues in July and August, $ 195.00.)

ORGANIZATIONS

CLEARINGHOUSES AND INFORMATION CENTERS

Clearinghouse on Disability Information - Office of Special Education and Rehabilitative Services (OSERS), Room 3132, Switzer Bldg., 330 C Street, SW, Washington, D.C. 20202- 2524. Telephone: (202) 732-1723.

ERIC Clearinghouse on Handicapped and Gifted Children - Council for Exceptional Children, 1920 Association Dr., Reston, VA 22091-1589. Telephone: (703) 620-3660.

National Center for Youth with Disabilities (NYCD) - University of Minnesota, Box 721, UMHC, Minneapolis, MN 55455. Telephone: 1-(800) 333-6293 (Voice); (612) 626-2825; (612) 624-3939 (TDD).

National Clearinghouse for Bilingual Education (NCBE) - 1118 22nd Street, NW., Washington, D.C. 20037. Telephone: 1-(800) 321-6233; (202) 467-0867.

National Clearinghouse on Family Support and Children's Mental Health - Portland State University, P.O. Box 751, Portland, OR 97207. Telephone: 1-(800) 628-1696.

National Clearinghouse on Postsecondary Education for Individuals with Disabilities (HEATH Resource Center) - One Dupont Circle, NW, Suite 800, Washington, D.C. 20036-1193. Telephone: 1-(800) 544-3284 (Voice/TDD); (202) 939-9320 (In D.C. Metropolitan Area).

National Information Center on Deafness (NICD) - 800 Florida Ave., NE, Washington, D.C. 20002. Telephone: (202) 651-5051 (Voice); (202) 651-5052 (TDD).

National Maternal and Child Health Clearinghouse - 38th and R Streets, NW, Washington, D.C. 20057. Telephone: (202) 625-8410.

Technical Assistance to Parent Programs (TAPP) Network:
National Office:
Federation for Children with Special Needs, 94 Berkeley St., Suite 104, Boston, MA 02116. Telephone: 1-(800) 331-0688 (in MA); (617) 482-2915.

Regional Offices:
West Region - Washington State PAVE, 6316 South 12th Street, Tacoma, WA 98465. Telephone: (206) 565-2266.

Midwest Region - PACER Center, 4826 Chicago Avenue, South, Minneapolis, MN 55417. Telephone: (612) 827-2966

Northeast Region - Parent Information Center, P.O. Box 1422, Concord NH 03302. Telephone: (603) 224-6299.

South Region - Parents Educating Parents Project, Georgia Association for Retarded Citizens, 1851 Ram Runway, Suite 104, College Park, GA 30337. Telephone: (404) 761-3150.

GOVERNMENT AGENCIES

Administration on Developmental Disabilities - U.S. Department of Health and Human Services, 200 Independence Ave., SW, Washington, DC 20201. Telephone: (202) 245-2980.

National Council on Disability (NCD) - 800 Independence Ave., SW, Washington, DC 20591. Telephone: (202) 267-3846.

Office for Civil Rights, U.S. Department of Education - Operations Support Service and Technical Assistance Branch, Room 5431, Switzer Bldg., 330 C Street, SW, Washington, DC 20202. Telephone: (202) 732-1213.

Office of Vocational and Adult Education, U.S. Department of Education - Policy Analysis Staff, Room 4525, Switzer Bldg., 330 C Street, SW, Washington, DC 20202.

Office of Indian Education Programs, Bureau of Indian Affairs (BIA) - MS 3512-MIB, 18th and C Streets, NW, Washington, DC 20245. Telephone: (202) 343-3559.

President's Committee on Employment of People with Disabilities - 1111 20th Street, NW., Washington, DC 20036-3470. Telephone: (202) 653-5044 (Voice/TDD).

President's Committee on Mental Retardation (PCMR) - 330 Independence Ave., SW, Washington, DC 20201-0001. Telephone: (202) 245-7634.

U.S. Department of Education, Office of Special Education and Rehabilitative Services (OSERS), the Office of Special Education Programs (OSEP), and the National Institute on Disability and Rehabilitative Research (NIDRR) - Direct inquiries through the Clearinghouse on Disability Information listed above.

U.S. Department of Justice, Civil Rights Division, Coordination and Review Section - P.O. Box 66118, Washington, DC 20035-6118. Telephone: (202) 514-0301 (Voice) (202) 514-0381/83 (TDD).

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PROJECT STAFF

Project Director ..... Carol H. Valdivieso, Ph.D.
Deputy Director ..... Suzanne Ripley
Associate Editor ..... Lisa Küpper
Author ..... Richard L. Horne, Information Resources Manager, NICHCY

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